



**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
RAFAEL TALAVERA,  
Defendant.

Case No. CR 2:24-mj-2605  
ORDER OF DETENTION  
[Fed. R. Crim. P. 32.1(a)(6);  
18 U.S.C. § 3143(a)(1)]

On May 3, 2024, Defendant Rafael Talavera made his initial on the petition for revocation of supervised release and warrant for arrest. DFPD Mara Gonzalez-Souto was appointed to represent Defendant. Defendant Talavera opposed the government's request for detention, and a contested detention hearing was held.

Pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. § 3143(a) following Defendant's arrest for alleged violation(s) of the terms of Defendant's  probation /  supervised release,

1                   The Court finds that:

2                   A.       Defendant has not carried his burden of establishing by clear and  
3 convincing evidence that Defendant will appear for further proceedings as required  
4 if released [18 U.S.C. § 3142(b-c)]. This finding is based on the following:

5                   Mr. Talavera has not offered anyone who is willing to serve as a surety;  
6 indeed, his family member indicated that she would not be willing to serve in  
7 that role. The Court considers that fact as weighing against release.

8                   B.       Defendant has not carried his burden of establishing by clear and  
9 convincing evidence that Defendant will not endanger the safety of any other person  
10 or the community if released [18 U.S.C. § 3142(b-c)]. This finding is based on the  
11 following:

12                   Mr. Talavera has a previous revocation for an assault related charge.

13                   Only shortly after he was released from custody on that incident, the  
14 events alleged in the Petition occurred, involving threats. The Petition  
15 also reflects Mr. Talavera's admission that he visited Ms. Castillo, in  
16 apparent or at least attempted violation of the protective order she has  
17 against him. In light of these facts, the Court does not believe that  
18 conditions can be set that would mitigate the risk to the community.

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1 IT IS THEREFORE ORDERED that the defendant is remanded to the custody  
2 of the U.S. Marshal pending further proceedings in this matter.

3 Dated: May 6, 2024

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5 BRIANNA FULLER MIRCHEFF  
6 UNITED STATES MAGISTRATE JUDGE

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